

June 11, 2024

Schultzville, NY

The Clinton Town Board held the Regular Town Board meeting on this day in the Town Hall. Present were Supervisor Whitton, Deputy Supervisor Werner, Councilman Dykas, Councilwomen Mustello and Councilwoman Auspitz as well as Town Clerk Carol-Jean Mackin. There were approximately 15 people in the audience.

Supervisor Whitton called the meeting to order at 6:30 PM. **(Pledge done earlier)**

APPROVE MINUTES

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello approve the May 14, 2024 Public Hearing minutes Sexual Harassment. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the May 14, 2024 Town Board meeting minutes. All aye. Motion carried.

PUBLIC DISCUSSION: (Agenda Items only)

MM Supervisor Whitton, 2nd Councilman Werner to open the floor to public discussion. All aye. Motion carried.

Todd Martin, Highway Superintendent – re: Vehicle Use Policy, he knows nothing about the policy, he was not consulted on it, sees red flags. It is geared towards the highway department. Deputy Supervisor Werner said it is a very rough version and Todd will see it before it is approved. Supervisor Whitton said we will get your comments. Highway Superintendent Martin asks: Are we going to be cleaning trucks or doing roads? The crew uses their own mechanic tools and equipment to work on our trucks. Concerned about the language of the policy, he is insulted by the need to ask permission to purchase nuts and bolts. Deputy Supervisor Werner we are working on an updated version, it is for discussion. You will see a draft to review.

Chris Juliano - does not understand why the Board can't work with the Highway Superintendent; it's going on five years...Supervisor Whitton asked him to stay on the agenda items. Mr. Juliano continues to hear from town residents who want more, the board needs to work with the highway superintendent. Deputy Supervisor Werner said we are doing the Vehicle Policy at the request of our insurance company Perma. There will be a conversation with the highway superintendent when a draft is complete.

Dean Michael - regarding traffic being an issue with STRs, one complaint years ago from college kids renting an Airbnb who had multiple cars parked all over the lawn. Traffic can be a problem with str. Regarding the flooring approval, it is a waste of money, seal it and paint it. Regarding the Vehicle Use Policy, it should be an internal document before we post it; it was premature and made Todd upset. Supervisor Whitton believes in the transparency to which Deputy Supervisor Werner agreed.

Highway Superintendent Todd Martin - Supports Bruce Martin's retirement approval. He has been an employee for 34 years, always a good worker. His last day is July 11, wishes

him good luck. We are having a hard time filling vacancies; Highway Superintendent Martin is having Bruce train some of the guys on the machines.

MM Supervisor Whitton, 2nd Councilman Werner to close public discussion and return to the regular order of business. All aye. Motion carried.

SUPERVISOR'S COMMENTS

- The Clinton Town Offices, Highway Department, Justice Court Office, and Court will be closed for Juneteenth on Wednesday, June 19. The Clinton Community Library will be open that day.
- Rebuilding Together Hudson Valley (RTHV) is a nonprofit working to preserve affordable homeownership by providing no-cost home repairs and modifications to income-qualified homeowners. For over 32 years, RTHV has brought volunteers and communities together to improve the homes and lives of the growing population of homeowners in need, completing over 1100 home repair projects throughout Dutchess County. The Rebuilding Day program application period this year is June 1 through September 30, 2024. Applications received will be for consideration in the 2025 projects year. Please visit RTHudsonValley.org to apply.
- Not on the agenda tonight, the employee handbook is being worked on. This is a bigger project than one may think. The goal is to finish the handbook, to be enacted for next year. The last revision to the employee handbook was June 2017.
- We are still working on ARPA expenditures. There are several things on tonight's agenda related to ARPA funds.

Deputy Supervisor comments

- Had the 2nd annual stone cleaning workshop at Schultzville Cemetery with 12 people. Patrick O'Hara supervised the workshop.

TOWN BOARD REPORTS: Posted on the web, townofclinton.com.

PLANNING BOARD, ZBA, CAC, CLIMATE SMART TASK FORCE, RECREATION, BUILDING INSPECTOR, ZONING ADMINISTRATOR, HIGHWAY, SCENIC AND HISTORIC ROADS, LIBRARY, ALTICE, ZONING REVISION, CEMETERIES, PROPOSED TRANSMISSION LINES, OTHER (QUARTERLY: WIC, SAFETY)

Councilwoman Mustello –

- CAC – . updated kiosk at the nature trail, members attended the book sale. Members will Participate in rec camp and Community Day. Visit their website: cac.com.
- Planning Board – report on file, posted on web.
- ZBA – report on file, posted on web.

Councilwoman Auspitz –

- Highway - report on file, posted on the web.
- Library – thanked the community to support the book and plant sale. Over \$4100 was raised for programs and services. Summer reading kick off is June 28. 2 by 2 Zoo animal program is July 6 at 11 am; registration required.

-

Deputy Supervisor Werner –

- Building Inspector - report on file, posted on the web.
- MCEI – no report
- Recreation Committee – no meeting in May. May 25 successful yard sale and complete Basketball tourney. Summer leagues have begun. Security cameras installed. Banners up in ongoing. Hiking club next week. Pavilion has open dates; lifeguards still needed. Swimming open full time June 28. Summer camp still has openings. Concert series will begin again this summer. Website has updates and forms.
- CSC - looking at grant opportunities from a large funding pool for a clean energy project. Bronze certification update, Cornell Cooperative Extension is reviewing the application submission. Application due July 7. Planning include riparian buffer project. Looking at the composition of the task force, discussion to fill positions with people who are more interested. Deputy Supervisor Werner contacted a few and will consider new candidates. Judy maelstrom attended the meeting and talked about the composing program in Clinton. Expressed interest in establishing a committee, the task force will discuss that in the future.

OLD BUSINESS

1. Discuss/Approve STR law update – Whitton

Hold until July as we have not heard comments from Dutchess County Dept. of Planning, who has 30 days to reply and today's date is before the 30 day window.

The Public Hearing remains open until 6:15 PM, July 9, 2024.

2. Approve awarding bid for flooring of Town Hall basement -Auspitz

MM Councilperson Auspitz, 2nd Councilperson Dykas that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board awards the bid for the Town Hall basement flooring replacement consisting of 1720 square feet to Foster Flooring at a cost not to exceed \$30,540 using ARPA funds. Deputy Supervisor Werner asked where this leaves us about \$25,000. All aye. Motion carried.

3. Approve going to bid for window shades in Town Hall – Auspitz

MM Councilperson Auspitz, 2nd Councilperson Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves going to bid for written proposals to install shades on the Town Hall windows. Written proposals/quotes are due by

Friday, June 28, 2024 by 10 am to Town Clerk Carol Mackin by email:townclerk@townofclinton.com or mail: 1215 Centre Rd. Rhinebeck, NY 12572. Whitton said also arpa funds. All aye. Motion carried.

4. Discuss Hometown Heroes update – Dykas

The Committee had its first meeting, we found there are County funds upward of \$5000, we are applying Ray Oberly and Supervisor's Secretary Cathy Gallinger are handling that. Making a mailing list to contact veterans to see if they are interested. The brackets cost is \$135, the whole cost is about \$250, paid by the family. He has had contact with the printer who does the poster and with other towns for advice. Created an application form, which is complicated. We are going to vet those applications to verify their service. Katherine Mustello asked how the grant money will be used. It will to be used to subsidize the cost of banners, but we have not made a final determination. Supervisor Whitton said there has been discussion to make initial applicants banners be free to encourage early application. Councilman Dykas said we are still considering how to spend it. We need to get the mailing list out to see level of interest.

5. Discuss the addition of a canopy to the School House – Werner

We have several bids out; we have little interest in going forward. Marion suggested we look on-line for the awnings. The Board will consider awnings for other offices as well.

6. Discuss update on Kansas Road-Werner

Last month, Deputy Supervisor Werner described the water issues there. Kansas Rd. is undergoing road work to improve the infrastructure. Initial prep work has been done to the road so that material can be put down. The Highway crew has cleaned the ditches, runs offs, and culverts for adequate drainage. A sub soil of screened shale has been laid to produce a stable roadbed. A top coat of gravel was then put down. A rented vibrating roller is being used to compress the material, fill any voids, and reduce any friction spots.

Todd got shale and spread that with a vibrating roller. Spread gravel overtop and wet it and rolled it for several days to pack it. Replaced culvert pipes. 95 percent of the homeowners are happy with the work. That was the last bit of item 4. Now we will use quarry item 4 which is blue. Kansas Road is rock solid.

7. Discuss update on Town Hall windows – Auspitz

Hobson Window is scheduled to repair the windows tomorrow.

8. Discuss update on Building Maintenance – Auspitz/Mustello

Councilwoman Auspitz said she and Councilwoman Mustello went around the campus with Joseph Malcarne to see what building maintenance is needed. The notes are attached to the minutes. Councilwoman Mustello said we have been discussing maintenance for years. Councilwoman Auspitz wants Building Inspector Mike Cosenza to review the town complex. Councilwoman Mustello suggests a walk around with construction vendors to create a priority list. Primary on the list is painting the Masonic Hall roof.

Councilwoman Mustello would like to see the receipt of the vendor who serviced the geothermal in January. Supervisor Whitton said all maintenance issues should go through Councilwoman Auspitz as she is the liaison, although we all have an interest.

9. **Discuss update on townwide Disaster Plan - Mustello**

Councilwoman Mustello met with Don Estes starting to rewrite it. Includes the fire districts as well as we will use their equipment.

NEW BUSINESS

1. **Discuss Vehicle Usage Policy – Werner**

Policy is in progress, all will have opportunity to look at it when a final draft is complete.

2. **Discuss Fee Schedule update – Whitton**

Supervisor Whitton asked for suggestions on STR fees:

Non- hosted	\$1000
Renewal	\$700
Hosted	\$550
Renewal	\$350

Deputy Supervisor Werner said maybe it should double. Town Clerk Mackin suggested the law requires the fees are indicative of the cost to manage the STRs. The Fee Schedule will be updated in July with STR fees if the Board decides to increase them.

3. **Approve CCD Contracts for vendors – Whitton**

Read by Deputy Supervisor Werner

Bee Bee the Clown

MM Deputy Supervisor Werner, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the **Agreement between Town of Clinton and BeeBee the Clown to provide entertainment/Magic Show** at Community Day at a cost not to exceed \$425 and authorizes, empowers, and directs the Town Supervisor to sign the Agreement. The certificate of Insurance is on file. All aye. Motion carried.

Elk Ravine Farm

MM Deputy Supervisor Werner, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **the Agreement between Town of Clinton and Elk Ravine Farm to provide carriage rides** at Community Day at a cost not to exceed \$2750 with the following conditions: receipt of a Certificate of Insurance and that the participants in the carriage ride sign the Town of Clinton's Event Release Waiver - provided to Elk Ravine Farm, indemnifying, releasing and holding harmless the Town of Clinton, and authorizes, empowers and directs the Town Supervisor to sign the Agreement. CCD Chairman Todd Martin said they are bringing several, one will carry 6-8 people. All aye. Motion carried.

Red Barn Band

MM Supervisor Whitton, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the **Agreement between Town of Clinton and Red Barn Band** to provide music at Community Day at a cost not to exceed \$600 and authorizes, empowers, and directs the Town Supervisor to sign the Agreement. All aye. Motion carried.

Pat O'Shea Band

MM Supervisor Whitton, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the **Agreement between Town of Clinton and Pat O'Shea Band** to provide music at Community Day at a cost not to exceed \$500 and authorizes, empowers, and directs the Town Supervisor to sign the Agreement. All aye. Motion carried.

4. Approve MOA between TOC and Bruce Martin – Whitton

MM Supervisor Whitton, 2nd Councilperson Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 25 of 2024 the MOA between the Town of Clinton and Bruce Martin**, and that the Town Supervisor is hereby authorized, directed and empowered to execute the MOA and to take any and all actions necessary to implement the provisions of the MOA and this resolution. Supervisor Whitton thanks Bruce for 34 years of service. Always served honorably, cares about the well-being about town although he has not always lived here. Councilwoman Mustello said she does not like to go out of contract, but Todd's comments hold a lot of weight. Discussed the details of his agreement to confirm them. All aye. Motion carried.

5. Discuss Settlement with Columbia Power – Whitton

The settlement is expected to be approved at the July meeting. 10 municipalities will share the settlement.

6. Approve Bike NY use of Town Hall Complex on June 23rd – Werner

MM Deputy Supervisor Werner, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves Bike NY using the outside lawn of Town Hall property as a rest area on June 23 for an annual bike race that travels through the Town of Clinton. The Certificate of Insurance is on file. All aye. Motion carried.

7. Discuss Intermunicipal Agreement for Dog Control Services – Whitton

The contract is expected to be complete by July. Our cost for dog control is significantly lower than what we are currently paying. We need to deal with housing and it looks like the SPCA will house dogs. Thanked Alan Bell, Lagrange supervisor for his work.

8. Approve 284 Agreement – Auspitz

MM Councilwoman Auspitz, 2nd Councilperson Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 26 of**

2024 the 284 Agreement. Supervisor Whitton said the budget listed there would be work on Mountainview Rd. Highway Superintendent Martin said we changed that; we did do work on Mountainview using other funds. All aye. Motion carried.

9. Discuss updated definition of “Nursery” to Zoning Law-Werner

Had a request to consider amending nursery definition. Worked with town attorney, we will ask the stakeholders for their opinions. Councilwoman Mustello asked why this was brought up and what are the options. Councilman Werner said the current definition does not include the sale of anything other than what is on the property. We will consider changing it to include the sale of decorative flag stone, bricks and accessories related to gardening. Feels this is minor and not inconsistent of nurseries. Supervisor Whitton said this came to us via a resident but he sees a benefit to anyone who opens a nursery and good for consumers. Councilwoman Mustello said the other solution was to expand the hamlet. Makes her nervous to change a definition. Deputy Supervisor Werner said when you start moving hamlet lines it opens Pandora’s box. Councilwoman Mustello said you should be expanding businesses in the hamlets. Supervisor Whitton said expanding in the hamlet only benefits that person, the definition benefits the whole town.

OTHER ITEMS

Supervisor Whitton said at the intersection of Longview and Pumpkin – the counters are down and the County will report on that.

1. Resignations and appointments – Werner

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to dismiss Brayden Rotundo from the full time, seasonal Groundskeeper position effective end of day May 14, 2024. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the appointment of Roberta Grant as fulltime, seasonal Groundskeeper effective May 20, 2024 to November 4, 2024 at a rate of pay of \$16.27 per hour for 32 hours per week, filling the term vacated by Brayden Rotundo. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilman Mustello to approve **Resolution No. 27 of 2024 Additional Summer employees.** All aye. Motion carried.

2. Approval of Warrants - Mustello

MM Councilwoman Mustello, 2nd Councilman Werner to approve the following resolution BE IT RESOLVED that the Town Board approves the:

June General Fund Warrant, Vouchers Numbered 285 through 340, Totaling \$150,167.13

and the

June Highway Fund Warrant, vouchers numbered **145 through 163, Totaling \$60,406.61.**
All aye. Motion carried.

3. Motion to Move Funds – Whitton/Werner

MM deputy supervisor Werner, 2nd Councilperson Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 28 of 2024 a motion to move funds.** All aye. Motion carried.

4. Supervisor's Report - Whitton

MM Supervisor Whitton, 2nd Councilman Werner to approve the Supervisor's Report for May 2024. All aye. Motion carried.

OTHER/ANNOUNCEMENTS: none

PUBLIC DISCUSSION

MM Supervisor Whitton, 2nd Councilman Werner to open the floor to public discussion. All aye. Motion carried.

Judy Malstrom – Assessor's Clerk – LLC designation does not mean STRs are commercial property; commercial properties are valued less. Rebuilding America is a great program. Shrac is opposed to str, for example, people leave their garbage bins at the end of the road all the time, it is a problem. The program Zero Waste Dutchess is working to close the incinerator and to establish zero waste programs. Mothers OutFront is doing a presentation called "trash the incinerator", by zoom. Hoping to have her own forum on August 15 Neil Selman, from zero waste USA, knowledgeable about programs for small towns. Charlie Dykas asks if we don't burn garbage what do we do with it. We need to start looking at trash like income we can sell plastic and cardboard and make money for the town. Zero waste project gets points for the bronze status as well.

Jeff Newman - property ownership is separate from property use. Fees for str, town law allows for licensing fees where the town board can establish fees to generate revenue. DEC decertifying their maps, he saw today they changed their law on the web eliminating the reference to the maps. We don't need to designate that we are referring to the maps, what is important is that we are trying to protect the wetlands, we can do that with an expert. We need to look at what are we trying to protect.

Dean Michael - disappointed on the flooring approval. Suggests having a progressive fee with a formula to gradually raise fees based on size, use, impact of the STR. He is on the Board of Resource Recovery; the county has a grant for food composting or total recycling within town. Applauds the hometown heroes program. Regarding the nursery, the income should be incidental for the sale of accessories to the other business revenue. Congratulates Bruce on his retirement.

Todd Martin – regarding the updates on building maintenance, lights for the courts are needed. The Highway Department took down the cedar trees on the side of the building,

we should add parking spaces with lighting. We can put cameras in for safety. Reminds residents it's illegal to blow grass on the roadway.

Katherine Mustello - said the highway roof is leaking. Marion agreed and it is on her list of fixes to be addressed.

MM Supervisor Whitton, 2nd Councilman Werner to close public discussion and return to the regular order of business. All aye. Motion carried.

ADJOURNMENT

MM Supervisor Whitton, 2nd Councilman Mustello that the Town Board adjourns the meeting. All aye. Motion carried.

The meeting was adjourned 8:45 PM.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Carol-Jean Mackin".

Carol-Jean Mackin,
Town Clerk